

EXHIBIT 3

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THE BERKMAN LAW OFFICE, LLC

111 Livingston Street, Suite 1928
Brooklyn, New York 11201

Tel: (718) 855-3627

Fax: (718) 855-4696

August 8, 2011

BY ECF

Hon. James Orenstein
United States Magistrate Judge
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *In Re British Broadcasting Corp.*
E.D.N.Y. Docket no. 11-mc-547 (NGG) (jo)

Dear Magistrate Judge Orenstein,

We represent the plaintiff in the above referenced matter.

Presently pending before this Court in this miscellaneous proceeding is the motion of the non-party subpoena recipient British Broadcasting Corporation to quash a subpoena served by the plaintiff herein.

Having given careful thought and consideration to certain arguments raised by the defendants in their motion, we have decided to withdraw the subpoena, and have informed defendant of same earlier today.

Since the subpoena has been withdrawn, the BBC's motion is now moot.

Respectfully yours,

S/Robert J. Tolchin

Robert J. Tolchin

Cc: Counsel of record by ECF